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or illegally omits to obey such orders, shall be fined any sum not exceeding \$100, or imprisoned for any time not exceeding 90 days or both, but no person shall be imprisoned for any such violation or failure to obey any of the foregoing orders and regulations for the first offense and the prosecution shall always be as and for a first offense, unless the affidavit upon which the prosecution is instituted contains the allegation that the offense is a second or repeated offense, all of which is in accordance with section 4414 of the General Code of Ohio, in such case made and provided.

(g) That section 35 of subdivision 3 of the regulations of the board of health in the codified ordinances of the city of Mansfield, Ohio, be amended by adding the foregoing subsections.

(h) This regulation shall take effect and be in force from and after the earliest period allowed by law.

[Regulation, board of health, adopted July 7, 1911.]

NEWPORT KY.

MILK AND MILK PRODUCTS—PRODUCTION, CARE, AND SALE.

SECTION 1. The board of health of the city of Newport or its agents may enter at any time, and no person shall hinder or prevent them from so entering, any place in the city of Newport where milk or milk products from cows or dairies is kept or held for sale for human food.

SEC. 2. It shall be unlawful for any person, firm, or corporation to bring into or receive into the city of Newport for sale, or offer for sale therein, or have on hand for purpose of sale, any milk or cream or products from cows or dairies, without first having obtained from the board of health of the city of Newport a permit to do so, said permit to be obtained as hereinafter provided.

SEC. 3. To procure the permit provided for in section 2 hereof, the applicant therefor shall file with the board of health of the city of Newport a written statement setting forth his residence and place of business, the number of cows owned by him, the name and address of any and all persons from whom he is purchasing or obtaining milk, cream, buttermilk, sour milk, butter, or other dairy product, and the quantity of such products sold by him daily. It shall be the duty of the holder of such permit to notify the board of health in writing of any change in the name or address of the person or persons from whom he obtained his supply of milk, cream, buttermilk, sour milk, or other dairy product.

SEC. 4. Upon the board of health of the city of Newport being satisfied that the place or places where the milk or milk products are to be kept or offered for sale, or from which they are obtained, are sanitary, or that the cows from which said milk is obtained are free from disease and kept in a sanitary place and manner, said board of health shall grant a permit to the applicant conditioned upon his compliance with the terms of this ordinance and the rules and regulations of the State board of health and the board of health of the city of Newport. Said permit may be revoked at any time by the board of health of Newport, Ky., should the holder thereof fail or refuse to comply with the provision of the ordinance.

SEC. 5. No person or persons shall keep a cow in the city of Newport without a permit from the board of health.

SEC. 6. All permits shall be renewed during the month of May of each year to be valid. Renewals of permits may be granted at the discretion of said board of health in the same manner as the original permits are granted.

SEC. 7. There shall be no charge for the permits provided for in sections 2 and 5 hereof, but the applicant therefor must agree to furnish free of charge such samples of milk or products from cows or dairies as may be necessary for the purpose of analysis. The applicant must further agree to allow the inspection by said board or its agents of his premises, cows, dairy utensils, or anything pertaining to the business of operating a dairy or milk depot at all times.

SEC. 8. It shall be unlawful for any person to sell, offer for sale, or have on hand for sale in this city any milk or butter, who fails or neglects by himself or agents to comply with all the terms of this ordinance, or who sells or offers for sale, or has on hand for sale, products from cows or dairies which are not maintained or kept as required by the terms of this ordinance.

SEC. 9. No building shall be used for stabling milk cows which is not well lighted, ventilated, drained, and constructed in such manner as to render same sanitary.

SEC. 10. All stalls or places where the cows are milked shall be provided with clean floors. The accumulation of urine, manure, stagnant water, or any other filth shall not be permitted in the stable or barnyard or other place where milk cows are kept, the products from which are for sale within the city of Newport.

SEC. 11. No water-closet, cesspool, urinal, habited room, or workshop shall be located within any building or shed used for stabling cows used for dairy purposes, nor shall any fowl, hog, horse, sheep, or goat be kept in any room used for such purposes.

SEC. 12. Every building or shed for keeping cows for dairy purposes shall be kept clean and in good repair and well painted or whitewashed.

SEC. 13. Milk from cows suffering with tuberculosis, actinomycosis, Texas fever, abscesses, or any other contagious or infectious diseases, and milk from cows that will calve within 15 days or that have calves within 10 days, shall not be sold or kept for sale in the city of Newport.

SEC. 14. It shall be the duty of every person having charge or control of any premises upon which cows are kept to notify the board of health of the existence of any contagious diseases or recurring inflammation or abscess of the udder immediately upon the discovery thereof, and to immediately isolate such cow or cows and keep same apart from the herd until permission is granted in writing by the board of health to permit such cow or cows to return to the herd.

SEC. 15. It shall be unlawful for any dairyman to feed milk cows or have in his possession with intention to feed milk cows, any garbage, swill, refuse, or any other food prohibited by the statutes of the State of Kentucky.

SEC. 16. All milkers or other attendants who handle the milk or cream, buttermilk, or sour milk which is offered for sale or delivered in the city of Newport shall be personally clean, and all such persons before entering upon their duties shall thoroughly wash their hands with soap and water, and no milker shall be permitted to wash the teats of the cows with milk or water in the milk bucket or to milk the cow with wet or moist hands.

SEC. 17. It shall be the duty of any person having charge of or control of any premises upon which milk or cream, buttermilk or sour milk is produced, handled, stored, or distributed to notify the board of health immediately upon the discovery of diphtheria, measles, membranous croup, scarlet fever, smallpox, typhoid fever, or any other contagious or infectious diseases upon such premises.

SEC. 18. Any person who attends to cows, or milks them, or who has the care of handling of vessels used for the sale, storage, or distribution of milk, cream, buttermilk, or sour milk, shall not enter any place or premises wherein exists any of the diseases mentioned herein nor shall any person have any communication, direct or indirect, with any person who resides in or is an occupant of such infected place.

SEC. 19. All vehicles used for hauling or distributing milk or cream, buttermilk, or sour milk must be kept in a sanitary condition and must not be used for hauling manure, slops, or anything else of any insanitary character.

SEC. 20. Each vehicle used for hauling or distributing milk or cream, buttermilk, or sour milk shall have printed on each side thereof the letters not less than 3 inches high the name of the dairy, the name of the person to whom such permit was granted, and the number of such permit.

SEC. 21. All milk depots and places for handling milk, cream, buttermilk, or sour milk must be kept thoroughly clean throughout and must be screened so as to exclude all flies. The floors of such milk depots must be of cement or tiling or other impervious flooring. The room in which the milk is to be handled or kept shall be screened or protected in such manner as to be free from flies and bugs.

SEC. 22. No person or persons shall bring into or receive into the city of Newport for sale or offer for sale therein, or have on hand for purpose of sale, any milk, buttermilk, cream, or products from cows or dairies which are stored or kept in any basement, cellar, refrigerator, milk house, dairy, or other place which communicates directly with any insanitary closet or room or any horse or cow stable.

SEC. 23. All milk shall be cooled, strained, and stored in rooms outside of the cattle barns, and there shall be no communications between it and any barn or other building. Said cooling rooms must have cement, concrete, or other impervious floors, must be kept whitewashed and clean at all times, and must be screened in such a way as to exclude all flies and vermin.

SEC. 24. No pasteurized or sterilized milk shall be sold in the city of Newport unless it is conspicuously labeled "pasteurized" or "sterilized." Said label shall state the degree (temperature and length of exposure at that temperature) and date of pasteurization or sterilization.

SEC. 25. All milk shall be marketed as soon as possible after milking.

SEC. 26. All milk brought into the city or sold or offered for sale in the city must not contain more than 500,000 bacteria per cubic centimeter.

SEC. 27. It shall be unlawful for any person or persons to bring into the city of Newport for sale or to sell any milk which contains any manure or dirt (that is, in quantities sufficient to be detected with the naked eye, after the milk has been standing one hour or more).

SEC. 28. No milk shall be kept in ice boxes or refrigerators which are in any way connected with sewers or cesspools nor shall any milk be kept in the same compartment of any ice box or refrigerator in which meats or other articles of food are kept.

SEC. 29. It shall be unlawful for any dealer in milk or cream or other dairy products, or his agents, for the purpose of serving milk, cream, or other dairy products, to enter any building that has in it any contagious disease, or that is placarded by the board of health for contagious disease, until such placard has been removed by the proper authorities. This section is not intended to prevent the delivery of milk or other products to such dwellings.

SEC. 30. It shall be unlawful for any person to remove from such dwelling any bottles or receptacles which have been or are to be used for the purpose of receiving or storing milk or cream, buttermilk or sour milk, without a written permit from the board of health or its agents.

SEC. 31. It shall be unlawful for any dealer in milk or cream, or his agents, to bottle or cause to be bottled or to be placed in jars or cans or any open container any part of his milk or cream supply while upon the wagon or at any other place than the dairy or milk depot.

SEC. 32. It shall be unlawful to sell or offer for sale, or have on hand for sale, in the city of Newport any milk, cream, buttermilk or sour milk containing any preservatives of any kind, or which is adulterated or unwholesome.

SEC. 33. The words "adulterated or unwholesome milk" as used in this ordinance mean: (1) Milk offered or kept for sale as whole milk or sold as such, which contains less than 8½ per cent of solids not fat, and less than 3¼ per cent of milk fat. (2) Milk which has been diluted with water or fluid, or to which has been added or into which has been introduced any foreign substance whatever. (3) Milk drawn from animals fed on any substance which does not comply with the general laws of the State of Kentucky. (4) Milk drawn from cows kept in crowded or unhealthy condition. (5) Milk, the temperature of which is higher than 60° F. (6) Milk which contains more than 500,000 bacteria to the cubic centimeter. (7) Milk containing more than two-tenths of 1 per cent of lactic acid.

SEC. 34. Skimmed milk, for sale as such, shall not contain less than 9½ per cent of milk solids. All vessels, packages, cans, etc., containing skimmed milk, shall have the whole exterior of the can, including the lid, painted a bright red color, and shall have painted in black letters on the exterior of the body of the can not more than 6 inches from the neck of the can the words "Skimmed milk," in letters at least 3 inches high; such cans to be kept well painted at all times.

SEC. 35. All buttermilk sold or offered or kept for sale in milk depots, groceries, hotels, restaurants, lunchrooms, etc., shall be kept at a temperature not higher than 60° F., the same sanitary rules to govern the production or keeping for sale of buttermilk which control the sale or production of sweet milk.

SEC. 36. All buttermilk offered for sale in the city of Newport as buttermilk, or sold as such, must not contain more than 93 per cent of watery fluid and not less than 7 per cent of solids. It shall be unlawful to sell or offer for sale or have on hand for sale in the city of Newport any adulterated or unwholesome buttermilk.

SEC. 37. The words "adulterated or unwholesome buttermilk" as used in this ordinance mean: (1) Buttermilk containing more than 93 per cent of watery fluid or less than 7 per cent of milk solids; (2) buttermilk which has been diluted with water or any other fluid, or to which has been added or into which has been introduced any foreign substance whatever; (3) buttermilk kept in stores, lunchrooms, restaurants, etc., and offered for sale shall not be kept in metallic containers; (4) buttermilk the result of milk or cream obtained from cows fed on any substance not complying with the general laws of the State of Kentucky; (5) buttermilk from products of cows kept in a crowded or unsanitary condition.

SEC. 38. All vessels containing buttermilk which is held or offered for sale in the city of Newport must be labeled in such a manner as to plainly show the age of the buttermilk.

SEC. 39. Cream sold or kept for sale as such must contain at least 18 per cent butter fats and must not contain any foreign substance or coloring matter.

SEC. 40. Ice cream sold or kept for sale in the city of Newport shall be: (1) Ice cream shall be a frozen product made from cream and sugar with or without natural flavoring and shall contain not less than 14 per cent of milk fat. (2) Fruit ice cream shall be a frozen product made from cream, sugar, and sound, clean, mature fruits and shall contain not less than 12 per cent of milk fat. (3) Nut ice cream shall be a frozen product made from cream, sugar, and sound, nonrancid nuts and shall contain not less than 12 per cent of milk fat. All ice cream factories or any other place where ice cream or any substance having the resemblance of ice cream is manufactured or offered for sale must be kept in a sanitary condition, and all utensils, appa-

ratus, etc., used in the manufacture, sale, or distribution of ice cream or other frozen products must be kept in a sanitary condition at all times.

SEC. 41. All cans, bottles, or vessels of any kind used for holding milk or cream must be cleaned at least once a day with soap or soda or other cleansing preparation made for the purpose and then rinsed with boiling water. They should always be cleaned as soon as empty.

SEC. 42: If any provision of any section of this ordinance shall conflict with the rules of the State pure food commission, the rules of the latter shall govern.

SEC. 43. Copies of this ordinance shall be printed and a copy of the same delivered with each permit or renewal of same, and said copy must be posted in a conspicuous place in the dairy or milk depot of the party holding such permit.

SEC. 44. Any person, firm, or corporation, their agent or employees, who shall violate any of the provisions of this ordinance shall be deemed guilty of an offense, and, upon conviction in the police court of the city of Newport, shall be punished by a fine of not less than \$10 nor more than \$100, or imprisonment not to exceed 30 days, or both so fined and imprisoned. (Section as amended by ordinance, approved September 1, 1911.)

SEC. 45. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

[Ordinance adopted July 13, 1911.]